

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEFFERIES LLC,

Petitioner,

- against -

JON A. GEGENHEIMER,

Respondent.

Civ. Action No. 19-cv-03147
(NRB) (SN)

**NOTICE OF RESPONDENT'S
MOTION TO DISMISS, STAY
OR TRANSFER VENUE**

PLEASE TAKE NOTICE that Respondent Jon A. Gegenheimer, by its undersigned counsel shall appear before this Court, on a date and time to be scheduled by the Court, and shall move this Court, pursuant to this Court's briefing schedule, for an Order: (1) dismissing or staying this action, pursuant to the "first-to-file" doctrine of federal comity, (2) dismissing this action for lack of proper venue, pursuant to Rule 12(b)(3); (3) transferring this action to the Northern District of California, pursuant to 28 U.S.C. § 1404(a); and (4) for such other relief that this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that in support of his motion, Respondent Jon A. Gegenheimer shall rely on the accompanying Declaration of David Jacobs and the exhibits attached thereto, and the Memorandum of Law in Support of Respondent Jon A. Gegenheimer Motion to Dismiss, Stay or Transfer Venue submitted herewith.

Dated: May 24, 2019

EPSTEIN, BECKER & GREEN, P.C.

By: /s/ David Jacobs

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